

Categorical Exclusion Review
U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Boise District Office
Bruneau Field Office

**Transfer of Grazing Preference from J-K Cattle Co. (GRN#1100085) to
Ireland Ranches (GRN#1100364)**

CE No.: DOI-BLM-ID-B020-2011-0009-CX

Lease/Serial/Case File No.: GRN #s GRN1100085/1100364

Purpose and Need for Action: Ireland Ranches has submitted a lease renewal with J-K Cattle Co. for the same base property with an amended amount of permitted use that is satisfactory to both parties. J-K Cattle Co. will retain the balance of the recognized base property and the attached permitted use that was originally issued under the December 22, 1997 Final Decision and analyzed in EA #ID-010-97-103.

The transferred permit is for spring and winter grazing in the West Castle Creek Allotment #0801. The transferred permit is again divided between two entities, J-K Cattle Co. and Ireland Ranches, but is identical in its entirety to the permit prescribed for Jay Cox by the December 22, 1997 Final Decision. The balance of the spring and winter use between these two permittees was modified slightly from that in effect during 2004-2007 and during 2008-2010, but no longer includes any portion of J-K Cattle's summer use, which is retained in its entirety by J-K Cattle Co. The permit prescribed in 1997 included substantial modifications to previous permits intended to address the upland and riparian issues identified by the Castle Creek AIE.

The two permittees will run in common in the same pastures with other permittees and follow the same grazing system. Ireland Ranches has had a satisfactory record of performance under the previous leases, which have been in effect since 2004; and their application for transfer is complete and satisfactory. Transfers are normally approved by BLM's authorized officer if these conditions are met in accordance with the grazing regulations (43 CFR 4130, Authorizing Grazing Use) and the National Environmental Policy Act.

Description of Proposed Action: The Proposed Action is to approve the application for transfer of the portion of J-K Cattle Co.'s grazing permit resulting from a base property lease.

Project Location: The Proposed Action involves the West Castle Creek Allotment, located near Grand View and Oreana, Idaho, 50 miles south of Boise.

Applicant (if any): Ireland Ranches

Part I – Plan Conformance Review

This proposed Action is subject to the following land use plan: Bruneau MFP

Date Plan Approved: June, 1983

The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decision(s): RM-1, RM-1.1, RM-1.5, RM-3, RM-5, WS-1, WL-2.1, WL-3.1, WL-3.2, WL-4.3, WL(aq)-2, WL(aq)-2.1, WL(aq)-2.2, WL(aq)-2.6.

Part II – NEPA Review

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West Castle Creek Ireland Ranches Grazing Preference Transfer

A. Categorical Exclusion Review: This proposed action qualifies as a categorical exclusion under 516 DM 11.5 D. (1). Category description: Approval of transfers of grazing preference

B. Exceptions Review (Departmental List of Extraordinary Circumstances Review): Review the 12 exceptions which apply to individual actions within categorical exclusion. Environmental documents (EA or EIS) must be prepared for any actions involving these exceptions. The following Departmental List of Extraordinary Circumstances apply to individual actions. Departmental instructions mandate that environmental documents **MUST BE PREPARED** for actions which may: (Mark applicable answer for each item. If "yes", prepare an EA/EIS and append this form to it.)

List of Exceptions

1. Have significant impacts on public health or safety.

Yes ☐ No ☒ Specialist Signature/Date: Michael Boltz 4/19/11

Comments/Explanation:

2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation, or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; or ecologically significant or critical areas, or is not in compliance with the Fish and Wildlife Coordination Act.

Yes ☐ No ☒ Specialist Signature/Date: Michael Boltz 4/19/11

Comments/Explanation: Permitted winter use has been found to be compatible with these natural resources. Grazing practices under these permits in the spring pastures have been modified as necessary to respond to drought, fire and other events, as required by the Final Decisions and by the BLM Grazing Regulations. Grazing management in this allotment will be analyzed during an upcoming permit renewal and is not part of the action associated with this CE, which is the transfer of the grazing permit and renewal that is authorized under the Continuing Appropriations Act (2011).

3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].

Yes ☐ No ☒ Specialist Signature/Date: Michael Boltz 4/19/11

Comments/Explanation: These areas have been grazed by domestic livestock since the 1840's, and use has been regulated and modified to maintain public values in successive actions since the Taylor Grazing Act in 1934. Livestock grazing will continue to be managed in concert with other uses and resource conservation principles. While grazing permit terms and conditions reduce and mitigate resource conflicts, some public land users do not accept livestock grazing anywhere on public land at any time. This conflict is one of philosophical belief systems rather than one associated specifically with the transfer of grazing preference proposed here.

4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.

Yes ☐ No ☒ Specialist Signature/Date: Michael Boltz 4/19/11

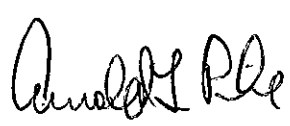
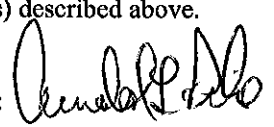
Comments/Explanation: Livestock use has occurred under BLM permits for over 70 years, and impacts have been documented and evaluated in several successive efforts for the allotment where transfer of the permit would occur. The ongoing evaluation is supplemented by a large body of scientific literature. Impacts of the action are therefore predictable.

5. Establish a precedent for future actions or represent a decision in principle about future actions with potentially significant environmental effects.

Yes ☐ No ☒ Specialist Signature/Date: Michael Boltz 4/19/11

Comments/Explanation: The proposed action continues past actions including iterative modifications, whose effects are known.

6. Have a direct relationship to other actions with individually insignificant, but cumulatively significant environmental effects.		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Specialist Signature/Date: Michael Boltz 4/19/11
<i>Comments/Explanation:</i> Permitted winter grazing in this pasture has been found compatible with MFP objectives. ORV races and other public uses are planned and monitored to avoid sensitive areas and minimize adverse impacts in winter and spring pastures. Spring livestock use has also been monitored and adjusted on an ongoing basis to conform to Idaho Guidelines for Livestock Grazing Management.		
7. Have significant impacts on properties listed or eligible for listing on the National Register of Historic Places as determined by either the bureau or office.		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Specialist Signature/Date: Lois Palmgren 4/22/2011
<i>Comments/Explanation:</i> Since this is an administrative action there will be no new impacts to listed or eligible cultural properties. A full NEPA / NHPA analysis will be completed when the West Castle Creek Allotment permits are up for renewal.		
8. Have significant impacts on species listed or proposed to be listed on the List of Endangered or Threatened Species, or on designated Critical Habitat for these species.		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Specialist Signature/Date for Plants: Holly Beck 5/21/08
		Specialist Signature/Date for Wildlife: /s/ Bruce C Schoeberl, Wildlife Biologist 4/20/11
		Specialist Signature/Date for Aquatics: /s/ Dave Mays, Fisheries Biologist 4/20/11
<i>Plants Comments/Explanation:</i> No change to existing management is expected with this transfer. Impacts to special status plants will be evaluated in the permit renewal for West Castle Creek Allotment.		
<i>Wildlife Comments/Explanation:</i> The status of greater sage-grouse changed recently from Type 2 to Type 1 (Candidate for Federal Listing; 2010) and no other changes have occurred to Special Status wildlife species found in this allotment. However, there will be no changes in management associated with this transfer and the West Castle allotment falls under the extension of grazing permits granted by the Continuing Appropriations Act (2011). Consequently, grazing management in this allotment will be analyzed during an upcoming permit renewal and is not part of the action associated with this CE. The administrative action itself of transferring grazing preferences to another party would translate into the same mandatory and other terms and conditions for the current authorization and would result in no change in any effects on threatened, endangered, proposed, or candidate species under ESA, as well as other Special Status wildlife species analyzed in the 1997 Final Decision that included an assessment of impacts to greater sage-grouse.		
<i>Aquatics Comments/Explanation:</i> No federally threatened or endangered fish species are found on this allotment. There have also been no changes in the ranking of redband trout, a BLM Type 2 Special Status fish species, which is found in several streams on this allotment. There will be no changes in the grazing methods and related management of the allotment (approved in the 1997 EA Decision) with this transfer. The West Castle Allotment falls under the extension of grazing permits granted by the Continuing Appropriations Act (2011). Range management in this allotment will be analyzed during the next permit application period and is not part of the transfer associated with this CE. The administrative action itself of transferring grazing preferences to another party would result in the same mandatory and other terms and conditions for the current authorization and would result in no change in the effects on redband trout.		
9. Violate a Federal, State, local, or tribal law or requirement imposed for the protection of the environment.		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Specialist Signature/Date: Michael Boltz 4/19/11
<i>Comments/Explanation:</i>		
10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Specialist Signature/Date: Michael Boltz 4/19/11
<i>Comments/Explanation:</i>		

11. Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007).		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Specialist Signature/Date: Michael Boltz 4/19/11
<i>Comments/Explanation:</i> Transfer of this permit does not authorize any surface occupancy, any transfer of surface management or ownership, or any change in surface access or surface impacts.		
12. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112).		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Specialist Signature/Date: Michael Boltz 4/19/11
<i>Comments/Explanation:</i> Cheatgrass is a well-documented long-term vegetation component within areas affected by this transfer. Other noxious weeds or invasive species are subject to ongoing cooperative weed control measures.		
<p>I certify that none of the Departmental exceptions (Extraordinary Circumstances) listed in the above Part II (516 DM 2, Appendix 2) apply to this action; therefore, this categorical exclusion is appropriate for this situation.</p> <p>Remarks:</p>		
Authorizing Official: 		Date: 4/20/2011
Name: Arnold L. Pike Title: Bruneau Field Manager		
Part III – Decision		
I have reviewed this plan conformance and NEPA compliance record and have determined that the proposed action is in conformance with the approved land use plan and that no further environmental analysis is required. It is my decision to implement the proposed action, as described, with the mitigation measures either identified below or with the stipulation(s) described above.		
Authorizing Official: 		Date: 4/20/2011
Name: Arnold L. Pike Title: Bruneau Field Manager		